

# **BOROUGH OF WATCHUNG**

## **COUNCIL MINUTES**

**FEBRUARY 4, 2016**

**MAYOR'S STATEMENT:** Mayor Pote called the meeting to order at 7:34 PM and made the following statement: Under the provisions of N.J.S.A.10:4-6 et seq., notice of the time and place of this meeting was given by way of annual notice to the Courier News, Echoes Sentinel, and Star Ledger, and posted at Borough Hall.

**SALUTE TO THE FLAG and a MOMENT OF SILENCE FOR OUR SERVICE MEN AND WOMEN, SERVING HOME AND ABROAD.**

### **ROLL CALL:**

Joren [ A ] Black [ P ] Nehls [ P ] Gibbs [ P ] Mobus [ P ] Sopko [ P ]

Although not present at Roll Call, Council President Joren arrived at 9:06 PM.

Also present were Administrator Tom Atkins, Attorney William Robertson was present for Mr. Cruz, Clerk Michelle DeRocco, Deputy Clerk MaryAnn Hance, CFO Bill Hance, and Police Chief Joe Cina.

There were 7 members of the public present

### **PROCLAMATION**

Mayor Pote read the Proclamation for Go Red Day for Heart Health / American Heart Association  
(copy attached)

### **SPECIAL PRESENTATION**

Watchung Hills Regional High School – Superintendent Elizabeth Jewett  
Administrator Tim Stys  
Board Members: Sondra Fectner  
Barry Hunsinger

Ms. Jewett thanked the Mayor and Council for inviting them to this meeting to explain the Referendum, scheduled to be held on March 8<sup>th</sup>. She explained the current turf field is ending its useful life, which is 10-12 years, and that this field is used by all sports teams, graduation ceremony, physical education classes, community youth sports leagues, and community joggers and walkers. Ms. Jewett said there is more detailed information on their website at: <http://www.whrhs.org/Referendum>. Watchung Hills Regional High School Administrator Tim Stys explained that the Board has been awarded state aid for up to 40% of the cost of this project, however, they will only receive it if the project is approved by the voters. He explained that it is a catch in the State's laws, and that even if the voters do not approve this project, it will get done, however, they will not receive the 40% from the State grant. This project would then have to be funded through capital reserve.

Councilman Gibbs thanked Ms. Jewett, Mr. Stys, Ms. Fectner and Mr. Hunsinger for coming this evening, and he said after having a very long conversation with Peter Fallon and getting a better understanding of this, he is 100% in favor of the referendum and it makes sense to take full advantage of the state aid of up to 40% of the project. Councilman Gibbs said if he had the information he has now he would never have been in disagreement with it but the letter they initially received did not have a number associated with the cost or other information. Councilman Nehls reiterated what Councilman Gibbs said and also thanked them for their explanations and he also supports moving forward with this. Administrator Atkins asked if the money in the Capital Reserve is cash and Mr. Stys said it is. Councilman Black asked what the next big project would be and Mr. Stys said they have a 5 year facility plan in place with a couple of internal projects with the two locker rooms being the biggest one now. Councilman Sopko asked if there has been any opposition to the artificial turf vs grass turf. Ms. Jewett said it has been brought up but the grass turf would be more costly since it requires much more maintenance and probably would only be able to accommodate one sport per season. Councilman Mobus asked if there has been any advancement in the life expectancy of the turf and Mr. Stys said they are all basically the same 10-12 years and the usage this field has gotten is amazing. Mr. Stys also said they are asking groups about having fund raising projects. Ms. Fectner said the polls are open on March 8<sup>th</sup> from 2 PM to 9:00 PM.

## REPORT OF STANDING COMMITTEES:

1. Administration & Finance – Councilman Gibbs reported the Committee met on February 1<sup>st</sup> with Councilmen Mobus and Sopko attending. The Committee is recommending the continuation of the EAP (employee assistance program). He also reported the Annual Financial Statement will be submitted by February 10, 2016, and he is expecting another round of the budget submitted to the Administration/Finance Committee and distributed to the Council members. Councilman Gibbs said the Borough has received three proposals for Grant writing, Bruno Associates, Millenium and Maser Consulting, and at this time the one received from Maser would be providing the best potential value. He said the Committee will recommend the Borough go with Maser this year. The Committee also recommended authorizing a salary adjustment for Public Works employee Vickram Kissoon who has completed his probationary period and is doing an excellent job. The Committee also questioned if the Borough is sending annual notices to those residents who have special assessments. Councilman Gibbs said the Borough does have records but billing is not annual, and they are looking to improve this process.

2. Police – Councilman Nehls reported the Committee had a meeting and reviewed several of the grievances from the Police Department employees. He said there was going to be an Executive Session this evening, however, the PBA has asked that it be moved to the meeting of February 18<sup>th</sup>.

Councilman Gibbs said after having the training this evening it would be beneficial to have a key fob entry system put in place for the Police Department and Borough Hall, and this should be considered by the Administration/Finance Department. Councilman Gibbs also suggested the installation of some form of barrier at the counters. Councilman Mobus said the fob system at the Texier House has not been working well and Mr. Atkins said he would speak to Bob Burns.

3. Public Works / Buildings and Grounds – Councilman Nehls thanked the Department of Public Works for the great job they did tackling the 28+ inch snow. It was very difficult but they cleared all the roads and a few had to be gone over again to widen them. He also reported the only item discussed at the Public Works meeting was the Library, and that everyone should have the information Ms. DeRocco emailed to them. He asked all to review and give their thoughts, pros and cons, for each concept. He said Mr. Iovino will be at the February 18, 2016 Council meeting to present these four concepts and he is looking forward to the next step. Councilman Nehls thanked CFO Bill Hance for putting money aside for continuing with the next step.

### 4. Public Affairs:

Open Space – No report

Environmental – Councilman Sopko reported the Committee met and the discussion was centered on the pipeline, and a concern that the possible expansion of Weldon, their blasting may be an issue with the pipeline so close. The Committee also wished to know if the structures on the Ness property belonged to the Borough, and Councilman Nehls said they do, and all must be taken down.

Mayor Pote questioned the Lake erosion. Councilman Nehls said the Environmental Committee needs to get involved in this but any work would be done by the Public Works Department. He said there are many invasive plants that are causing the erosion and the DEP is going to require permits. Councilman Sopko asked about dredging costs and Councilman Nehls said the dredging and the erosion are two different issues and the erosion is the most imminent problem.

Recreation – Councilman Mobus reported the meeting was postponed until next Tuesday, February 9<sup>th</sup> and 7:30 PM.

Historical – Councilman Mobus reported the Historical Commission meets on the 10<sup>th</sup>.

Board of Health – Councilman Black reported the Board of Health met on January 20<sup>th</sup> for their re-organization meeting. He said Bruce Ruck was elected President and Ronald Jubin, Vice President, and Borough representatives to the Middle-Brook Commission are Ronald Jubin, Frances Ellis, and Harriet Stambaugh as the Alternate. Councilman Black reported the Middle-Brook budget was discussed and passed unanimously with a 1.69% increase; and the Board discussed and agreed that the massage establishment ordinance should be a one year at \$200.00 instead of a three year at \$500.00, and instructed Kevin Sumner to prepare a revision to this ordinance.

5. Fire – Councilman Black reported there was a Committee meeting on the January 28<sup>th</sup> and the first of the month meeting on February 1<sup>st</sup> and he thanked Councilman Nehls for attending the meeting. He said the Firetruck Committee has met twice and they would like to come to the Council sometime this year with an anticipated cost. He reported that 96% of all hydrant markers are in place. Councilman Black said a call was received from Watchung Square Mall to come and assist digging out the 27 hydrants there. Councilman Nehls said the Borough Ordinance is for residential hydrants and

said businesses are responsible for clearing at their locations and he suggested sending it to the Laws and Ordinance Committee for review and Councilman Gibbs said he will talk to Council President Joren. Councilman Black said the stipend has been reviewed and completed and we should use this criteria going forward. CFO Bill Hance said he has the reports and this seems to be best process and he will be cutting individual checks. Mr. Atkins said if everyone is satisfied with this system he would recommend sending to the Laws and Ordinance Committee for preparation of an Ordinance. Councilman Black then suggested the possibility of utilizing some of the Fire Department funds to help with some of the costs for equipment, building repairs, etc. since they have approximately \$216,000 in their various accounts. Councilman Nehls said these are Watchung Chemical Engine funds and he has always felt fund raising money should be used for equipment or other items. One item could be if the Fire Department wants to put the “bump out” on the building since the Borough will not do this. Mr. Atkins said if this were authorized when the project goes out to bid it could be put as an alternate. Councilman Mobus asked if the Fire Department has something they want to use these funds for and also do residents have an opinion on how the donations are utilized, and Councilman Black responded that these funds are used for anything the Fire Department wants that there are no guidelines. Mr. Atkins reminded the Mayor and Council there is a special meeting on March 2, 2016 at 7 PM to meet with the Rodgers Group. Mayor Pote said this will be to review the content of both reports.

Councilman Black reported he attended the Green Brook Flood Control meeting last evening. He said FEMA is taking Bound Brook out of the Flood Area. The Commission has between \$2-5 million to spend on feasibility studies on the upper basin and they will use some of the previous studies also.

Councilman Black reported he met with the Library Advisory Committee on Wednesday at 3 PM at which time they elected the following officers: Amy Fiorilla, President, Eileen Dicken, Vice President, Colleen Mehegan, Treasurer and Virginia Hartmann, Secretary. Councilman Nehls informed Councilman Black that Ms. Hartmann is not a member of the Committee. He said there was a resolution last year for \$1.5 million toward the renovation of the Library and he said Kip Bateman may be introducing Legislation that could possibly match to assist with the funding. Councilman Black said he spoke with Bill Hance who informed him that the Borough has a 501-C3 account in place for donations to the Watchung Community Foundation. Councilman Black said the County is looking for a full time Librarian.

6. Laws/Ordinances – No Report, next meeting will be February 18<sup>th</sup>.

## **REPORTS - OTHER:**

7. Engineer – No Report.

8. Police Chief – No Report.

9. Fire Department - No Report.

10. Rescue Squad – No Report.

11. Emergency Management – Administrator Tom Atkins reported that Gary Greves has submitted a preliminary assessment to the County of damages the Borough incurred from the Jonas snowstorm. Mayor Pote thanked Mr. Greves for being ready with any assistance which might have been needed.

12. Attorney – Mr. Robertson had no report.

13. Clerk – Ms. DeRocco reminded everyone the Borough started extended hours on the 1<sup>st</sup> Thursday of the month, and that the Borough will remain open until 7 PM each month until May. She said one couple already took advantage of these hours to come in to apply for a marriage license. Ms. DeRocco also reported the Green Team met last week with representatives from Somerset County who will be offering three interns to assist for the Green Fair, the event we’re hosting with Warren on April 30<sup>th</sup>. Ms. DeRocco also said donations were collected for the American Heart Association for the annual Go Red Day for Heart Health.

14. Administrator – Mr. Atkins said Resolution R7 which increases the salary for the Public Works Employee, Vickram Kissoon, is due to his successful completion of his probationary period. He also said regarding correspondence #5, Chief Cina will now be looking at hiring two police officers, the first one will be to replace Scott Talmadge. Mr. Atkins reported on January 21<sup>st</sup> the resolution was passed on the Bond Ordinance and the Bond Sale will take place on February 18<sup>th</sup>. Mr. Hance will inform the Mayor, Council President Joren, and Councilman Gibbs of the outcome. Mr. Atkins also said he and Mr. Hance were on a conference call with Standard and Poors today and he felt it went very well. He also reported he and Mr. Hance are working on the budget and it should be ready to be introduced on March 17<sup>th</sup>. Councilman Mobus asked how long it would be to hear from Standard and

Poors and Mr. Atkins said probably February 11<sup>th</sup> or 12<sup>th</sup>. Mayor Pote said the budget should include approximately \$50,000 for the Pilgrim Pipeline for hiring an attorney and environmental specialist. Mr. Atkins said the entire 2015 Legal Budget was \$125,000 and this would be a major increase. Mayor Pote said the 9/11 Committee met last evening and the group thinks the project should now be turned over to Maser to move forward getting the exact location, install borings, etc. Councilman Nehls questioned if the Committee is asking the Engineer to take over the project and Mayor Pote said they were. Council President Joren said there was an email from Don Monetti explaining this.

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**PUBLIC PORTION / AGENDA ITEMS ONLY**

No one from the public wished to be heard.

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**UNFINISHED BUSINESS**

R1:02/04/16 A Public Hearing on **Ordinance OR:16/02 – “AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WATCHUNG, CHAPTER IX, ENTITLED ‘ALCOHOLIC BEVERAGE CONTROL,’ SPECIFICALLY SECTION 9-3.7 THEREOF, ENTITLED ‘LICENSE FEES; MAXIMUM NUMBER’ AS HERETOFORE SUPPLEMENTED AND AMENDED”** was held.

Council President Joren moved a public hearing be held with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Nehls, Gibbs, Mobus, Sopko “aye”.

With no one from the public wishing to be heard Council President Joren closed the public hearing and moved the following resolution:

Councilman Nehls seconded the motion and upon roll call the vote was as follows: Joren, Black, Nehls, Gibbs, Mobus, Sopko, “aye”.

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**NEW BUSINESS**

**CONSENT AGENDA:** The Consent Agenda Items listed below were unanimously adopted following a motion by Council President Joren and a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Nehls, Gibbs, Mobus, Sopko, “aye.”

Approval of the following Council minutes:  
January 11, 2016 Special Meeting  
January 21, 2016 Regular and Executive Sessions  
November 23, 2015 Executive Session

Acknowledging Receipt of the following Borough Reports:  
Tax Collector’s Report – Sept., Oct., Nov., Dec. 2015  
Board of Health Minutes – September 16, 2015

Acknowledging Receipt of the following Correspondence:

- #3- Township of Bridgewater 1/29/16 Notice of Ordinance and Public Hearing on Proposed Redevelopment Plan c: M & C, TEA, TH, Pl. Board
- #4- JCP&L 2/1/16 Notice of Public Hearing in Regard to Proposed Increase in Company’s Rider RRC – RGGI Recovery Charge c: M & C, TEA
- #5- Jordan Miglore 2/2/16 Resignation letter to Chief Cina, from his position as a Police Officer, effective February 22, 2016 c: M & C, TEA, JR

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**CONSENT AGENDA RESOLUTIONS:** The Consent Agenda Resolutions listed below were unanimously adopted following a motion by Council President Joren and a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Nehls, Gibbs, Mobus, Sopko, “aye.”

- R2:2/04/16 Appointment to Historical Committee – Chris Vander Fliet
- R3: Authorize Shared Service Agreement with Somerset County / County Print Shop
- R4: Authorize 2015 Stipend Program – Volunteer Fighters

- R5: Authorize Submission of Strategic Plan – Watchung Hills Regional Municipal Alliance Grant FY July 1, 2016 – June 30, 2017
- R6: Authorizing Participation with State of NJ / Safe and Secure Communities Program
- R7: Authorize Salary Adjustment – Vickram Kissoon
- R8: Purchases Over \$2,000. – Behavioral Medicine Consultant (EAP Services)  
City Connections LLC (Web Services)

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**PUBLIC PORTION - GENERAL DISCUSSION**

Pete Martino, Sunbright Road, said he thought the Council did a good thing when they questioned the Referendum that will be on the special election March 8<sup>th</sup> and he asked if the information had been advertised to explain where the funding will be coming from. He also said the Fire Department was going to purchase the boat from Chemical Engine funds but it was turned down and he wanted to know why the boat is at the East End site when it would be better if it was located where it would be more accessible for the lakes. Councilman Black said the Department has discussed training for ice and possible boat training. Mr. Martino said the fire hydrants at Watchung Square are privately owned by them and should be maintained by the owners. The Uniform Fire Code covers these and if they do not maintain them they could be fined.

Tom Franklin, Wildwood Terrace, said he still sees many illegal signs around town and he suggest just collecting them and throwing them away. He said the Borough should not be responsible for contacting the owner. Mayor Pote said the Borough should call and if they are not picked up they owner should be fined. Mr. Franklin then said the deer population is still increasing and he said the Council should reconsider their position on the use of cross-bows. He said they are very accurate and if they hit anything other than the deer they break up.

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**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 9:52 PM to the call of the chair and to the next scheduled Council meeting 7:30 PM, February 18, 2016.

Respectfully submitted,

*MaryAnn Hance*  
*Deputy Clerk*